



DATE:

October 21, 2013

APPROVED
BY:

Russell Schaedlich, Secretary

LAKE COUNTY PLANNING COMMISSION September 24, 2013

The Lake County Planning Commission hereby finds and determines that all formal actions were taken in an open meeting of this Planning Commission and that all the deliberations of the Planning Commission and its committees, if any, which resulted in formal actions, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Chair Hausch called the meeting to order at 5:33 p.m. and congratulated Mr. Radachy on his appointment to Director of the Office of Planning and Community Development.

ROLL CALL

The following members were present: Messrs. Adams, Brotzman, Morse, Pegoraro (alt. for Troy), Schaedlich, Welch (alt. for Aufuldish), Zondag, Mmes. Hausch, Moran, and Pesec. Legal Counsel present: Assistant Prosecutor Joshua Horacek. Planning and Community Development Staff present: Mr. Radachy and Ms. Myers.

MINUTES

Changes were to be made to the last paragraph in the Legal Report on page two and continued on page 3 in the July minutes. Add "since 2003" before "he has asked...", change the year "2003" to "2013" in the next sentence, and add the word "not" after "solutions are". Also midway on page 10, it should read the "brine" pits from the "drilling" process get done.

Mr. Schaedlich moved and Mr. Pegoraro seconded the motion to approve the July 30, 2013 minutes as corrected.

All voted "Aye".

FINANCIAL REPORT

Commissioner Moran moved to accept the July 2013 Financial Report as submitted and Mr. Pegoraro seconded the motion.

All voted "Aye".

Mr. Morse moved to accept the August 2013 Financial Report as submitted and Mr. Zondag seconded the motion.

All voted "Aye".

PUBLIC COMMENT

There was no public comment.

LEGAL REPORT

Josh Horacek, Assistant Prosecutor, reported that there was a meeting regarding Kimball Estates the week before last. Unfortunately, he was on vacation and not present. Mr. O'Donnell attended from the Prosecutor's Office. He understood it was a very productive meeting. Mr. Brotzman was there, and the other property owner was there. They were able to come up with a solution, which Mr. George Hadden is in the process of implementing.

Mr. Brotzman said he, Mr. Hadden, and the property owner met on the property last Friday. They reviewed the conditions of rights of entry that both parties are going to be seeking. Mr. Hadden hopes to incorporate those into documents that will be presented to both the other owner and him this week. Once he has a satisfactory document, he will present it to Mr. Hamilton.

Mr. Zondag asked for the timeline on this and Mr. Brotzman said the rights of entry are good for 365 days. When the property owner asked Mr. Hadden if that was what he was going to permit to happen, he said he wanted it done by the 1st of November, 2013. If Mr. Hamilton does not wish to do it, then the County will seek to do it themselves and bill, cost out or seek money from the bank.

Mr. Brotzman stated there was a note in the minutes of the last meeting that said Mr. Pegoraro had asked Mr. Horacek how riparian law fits into the situation when the homeowner advises the Planning Commission that a close development could contaminate water. Mr. Horacek said he would research this and report back at the next meeting as he had not looked into that issue yet.

DIRECTOR'S REPORT

Mr. Radachy reported the following:

- Mr. Radachy was appointed full Director effective August 26, 2013. He thanked the Planning Commission members and the Board of County Commissioners for appointing him to this position.
- We received a \$16,000 grant from the NOACA Regional Benefit Funds. It will be used for the next three years to study and revise the Retail Trade Study that was done in 1999-2000 as part of another NOACA grant. We will go back and revise the inventory

from the previous study and do a market analysis of Lake County. An RFQ for a contractor to do the market study will be pursued. Mr. Boyd and Mr. Radachy will work on a timeline and the RFQ.

- The Director went to Hartford, Connecticut for a three-day CDBG training in August to get a better understanding of the Community Development Block Grant Program.

ANNOUNCEMENTS

Mr. Radachy talked about the correspondence received on the Vrooman Road Bridge and Roadway Improvement Environmental Assessment from ODOT. There is a copy in the office available for review by the public if anyone is interested. There will be a meeting on the Vrooman Road Bridge on October 24 from 6:00 p.m. to 9:00 p.m. at the ULAB, which is the Utilities classroom out by the baler, next door to the minimum security facility on Blasé-Nemeth Road in Painesville. Ms. Hausch added that there was also a copy at the Lake County History Center.

The County Engineer's website shows a diagram of the four parts of the project starting with the roundabout which is almost done, a repaving project between the roundabout and S.R. 90, a bridge widening over SR 90, and a road alignment between 90 and the current Vrooman Rd. Bridge, and the new Vrooman Road bridge.

Ms. Hausch asked if Mr. Radachy thought roundabouts really help the traffic situations and he replied yes. The idea is that traffic keeps moving and you are not stopping and waiting for traffic to go by. That cuts down on the smog.

Mr. Zondag thought the Leroy roundabout was awfully small and Commissioner Moran said she had driven out to see it and thought it worked wonderfully. Mr. Zondag said the dirt road was a problem because it was not connected to Rt. 86 yet.

SUBDIVISION REVIEW

Concord Township – Stoneridge Estates Corrected Preliminary Plan Proposed Design Stipulation #7

Mr. Radachy said staff had accidentally cut off a portion of the number seven stipulation in the written portion of Proposed Design Comment #7 of the Stoneridge Estates Preliminary Plan, which was causing an issue with the developer and Concord Township. This stipulation had been discussed in its entirety during the July meeting. Concord Township requested we approve the missing portion of their recommended stipulation as shown below:

Recommend relocating proposed sublots 12 and 13 to maintain a buffer between the Woodcrest and Stoneridge developments, to minimize the encroachment on the detention basin by subplot 11, and to increase the

distance from the relocated tanks/separators to subplot 11. Proposed sublots 11-14 were not located adjacent to the project boundary line when the Preliminary Plan was approved by the Township. While the Township recognizes the relocation of lots was due, in part, to minimize stream impacts in both the southwest corner and northern portions of the site, the County's preliminary plan and final plat approval shall be based on ***the approved Township Preliminary Plan, as set forth in Section 16.29B of the Concord Township Zoning Resolution. The final plat for each phase of the development shall be agreed to in writing, before recording, by the Township Trustees (Section 16.14).***

Mr. Radachy stated that, as this was an apparent clerical error, he thought it was not necessary for the Planning Commission to approve its correction. He apologized and issued a letter to the developer on the Planning Commission's behalf stating the full comment that had been submitted by Concord Township for consideration. The issue stopped.

Concord Township – Quail Highlands, Phases 1 & 2, Modification

Mr. Radachy showed the location of Quail Highlands, Phases 1 & 2, as being on Capital Drive and Discovery Drive off of Auburn Road just west of the TriPoint Hospital in Concord Township. This is being resubmitted as a lot split plat but there are no additional lots being created. Concord Real Estate Investments, LLC is the Developer and CT Consultants is the Engineer. The original Plat had 150 foot setbacks that were the standard in 1988. Since 1998, setbacks were reduced to 100 feet. This Plat is revising the setback for the owner's purposes. When submitted to Tax Maps as a plat of correction, they discovered several lot splits had already been done (now eight or nine versus the five original lots) and a lot line adjustment cutting off the back half of one of the sublots and giving it to the golf course for a driving range. Because of all the changes over the years, the Tax Map Department stated, unless they were going to submit a five-sublot subdivision just like the original, they could not just slip it in as a correction plat. Someone needs to approve it.

This was approved by the County Engineer, Concord Township, Utilities and the Planning Commission.

The following are the proposed stipulations and comments submitted:

Proposed Final Plat Modification Stipulations:

1. There are two signature spots for the Lake County Planning Commission, one on the cover sheet and one on the last page. Russell D. Schaedlich will be signing the plat for the Planning Commission after it has been approved. His signature line should remain. The signature line for David Radachy shall be removed or struck out. *Art. III, Section 10(E)(4)(a)(iii)*
2. The front portion of the property from Auburn Road back to a depth of approximately 600 feet is zoned GB, Gateway Business (see attached maps). Under this zoning classification,

the required front building setback is 75 feet for lots fronting Auburn Road and 40 feet for lots fronting all other streets. The setback line shown on the proposed plat along Capital Parkway (north and south sides) shall reflect the split in the zoning classifications between RD-2 and GB with the appropriate setback. *Concord Township*

3. There are two zoning districts involved with this subdivision, RD-2 and GB, and the setbacks for those districts are not the same. Currently the plat is only showing the RD-2 front setback line of 100 feet along Capitol Parkway and not the 40-foot setback that is required by GB. The plat is required to show the proper setbacks for each district. *Art. IV Section 7(A)(3)*

Proposed Comments:

1. Block "B" is not a right-of-way. A front setback is not required to be shown on the plat. If the property owner wishes to continue to show the setback, they will need to show the proper setback for RD-2 and GB.
2. CT Consultants' address on the plat is not correct.
3. No objection to Plat modification. *L.C. Sanitary Engineer*
4. This office has no concerns or deficiencies per our standards for the proposed Quail Highlands Final Plan Modification. *L.C. Engineer's Dept.*
5. There are no concerns on this Subdivision. *Concord Twp. Service Dept.*

Mr. Radachy explained there were two stipulations concerning the two zoning districts involved in this. The districts are GB and RD-2. The RD-2 has a 100-foot setback and the GB has a 40-foot setback and a 75-foot setback along Auburn Road. The Plat as submitted to the Planning Commission had a 100-foot setback all the way to Auburn Road. Mr. Monroe had a Plat with him showing the 40-foot setbacks, but it has not been submitted to the Planning Commission office yet for review so this stipulation will be corrected as soon as possible. This is basically a modification of a Plat that shows current lot configurations and the new setbacks.

He stated there were two signature spots for the Planning Commission and the spot for the Director should be removed because he does not have the authority to sign a Plat. It rests with the Planning Commission and either the Chair or the Secretary needs to sign.

Mr. Pegoraro asked what the purpose for Block B was and Mr. Radachy answered that Block B was supposed to be a future road. Discovery Drive was to come out to Auburn Road eventually, but the road was never built. Block B does go into the GB and would require a 40-foot setback. Block B is a substandard lot according to Concord Township zoning because GB is a 100-foot frontage and RD-2 is also a 100-foot frontage. There is only a 60 foot width all the way through Block B even with non-contiguous frontage so it is not developable for anything except a road.

Mr. Pegoraro moved to approve the Quail Highlands Final Plat modification with three stipulations and five comments. Mr. Schaedlich seconded the motion.

Mr. John Monroe, the attorney for the property owner, Concord Real Estate Investments, said there is interest in the raw land now but there had not been for a number of years. The prospective purchasers are doing their due diligence by going to Ms. Kathy Mitchell at Concord Township and taking a look at the setbacks. They are asking for the building envelope to be increased so they can increase the potential for development on the site. There have been three or four interested parties that have come to the owner. They are trying to dovetail the original Plat with the current Zoning Resolution in Concord.

Per Mr. Monroe, not a part of the approval tonight, there were two lot splits that were administratively approved for a couple prospective purchasers. There will be a companion case that is not before this body that has covenants and restrictions that were encumbering the entire part that will be modified to match exactly the map that is being changed here. Since the properties have changed to Noratech and Synetec they had to get their approval of both the text change and the Plat modification. That is why the cover page has the signature blocks the way they are, and there are additional signatures on the last page of the Plat.

Staff approved this modification with three proposed stipulations and five proposed comments. Mr. Radachy also stated that the Plat has the wrong address for CT Consultants.

All voted "Aye".
Motion Passed.

Concord Township – Summerwood Subdivision, Phase 4, Variance of Article I, Section 4, Subsection B, 17 Lots, 12 Acres

Mr. Radachy stated this was a variance request for Summerwood Subdivision, Phase 4 that would allow the Developer, ALM Properties LLC, newly transferred from Tom Riebe and Doreen Reibe Trustees to ALM Properties LLC, and the Engineer, Gutoskey & Associates, to do a preliminary grading and removal of stumps two weeks early. This will enable them to get the site prepared for actual construction, which is to happen in the near future. ALM Properties LLC is still controlled by Tom and Doreen Reibe. The hardship imposed is caused by being at the end of the construction season.

The County Engineer approved the Improvement Plans on August 29, 2013 and the Soil & Water Conservation District also approved the Soil Erosion and Sediment Control Plan in June. There was an issue of a clerical error on the Plans that misstated the type of pipe they wanted to use for the sanitary sewer line. They want to use plastic, not clay. This had to be reapproved by OEPA as per the Utilities Department's Rules and Regulations before the Plan could be signed. This approval came on Friday. An email received from Mr. Riebe showed that Utilities had already initiated the Commissioners' approval process. The project is

moving forward per standards. The Plan should be approved to go to final resolution by the first meeting in October.

Mr. Radachy showed the location of Summerwood Subdivision, Phase 4 as being off State Route 608 and Girdled Road in Concord Township. It is a 17-lot subdivision. The cul-de-sac closest to Deerhaven on the site is between Deerhaven and Forest Valley off of Summerwood Drive.

The Sanitary Engineer had no objection to the variance. Concord Service Department has some minor details of how they should take care of the spoils that are moved around. The County Engineer says they have no objections to it as long as the BMPs are in place and Soil and Water's rules are met. The Soil and Water Conservation District states the erosion and Sediment Control Plan BMPs are to be installed before grading.

Staff recommends approval.

Mr. Pegoraro moved to approve the variance and Mr. Welch seconded the motion.

Ms. Pesec asked what they would be able to do that they could not do without the variance. Mr. Radachy stated they could remove stumps and have the site ready to dig the trenches for sanitary sewer, storm sewer lines, water lines, etc. The things they are allowed or not allowed are usually specified in a letter provided to them by the office. Basically, they cannot start digging the trenches without inspectors present.

Mr. Chris Mulchin of ALM explained the preparation will begin with taking the trees down and then stump the property, grade it off and put the Erosion and Sedimentary Plans in place. The road itself will not be prepared past that point. All other ground work needs to be done before that for this project. This will possibly give them a couple weeks of sunshine to allow things to dry up a little bit once things are in place.

All voted "Aye".
Motion passed.

Subdivision Report

Mr. Radachy gave the following subdivision report:

- The office has had just about as many minor land divisions as last year to date. In 2012, there were 32 and in 2013 there are 30. Last year, they wound up with 40 sublots for the year.
- Stoneridge Subdivision and Concord Township are discussing lot placement as part of their PUD. The developer had to get a re-approval because of a discrepancy in four subplot placements between Woodcrest and Sara Lee. When this is worked out, the Final Plat should come through the Planning Commission. The Trustees need to approve this modification of the original approval.

- Stein Farm in Leroy Township is supposed to submit a Preliminary Plan soon. It is located on Leroy Thompson Road just north of S.R. 86. It is a 100-acre parcel that the developer is fighting the clock on the R-2 District change.
- A lot line adjustment of ½ a foot x 10 feet had to be added to a bus stop because the surveyor did not go all the way to the property line and that left this sliver of land.

LAND USE AND ZONING REVIEW

LUZ Committee Reappointments of Madison and Perry Township Members

Per the Bylaws, the Land Use and Zoning Committee members up for reappointment were Ms. Lora Diak and Mr. Jerome Klco from Madison Township and Dr. Aven Malec and Mr. Mark Welch from Perry Township. Per the Bylaws, the reappointments were made by the Chair and the members were notified.

Leroy Township – Proposed District Amendment, 11.2 Sq. Miles, R-1 to R-2

There were two district amendments on the agenda. The first one was in Leroy Township. They are asking to change 7465.216 acres, roughly 11.2 square miles, from R-1 to R-2. R-1 is 1 ½ acre single-family lots with a 150 foot width. R-2 is single-family three acre lots with 200 feet of frontage. It was initiated by the Township Zoning Commission. Staff presented the current zoning map of Leroy Township in the meeting package. As of mid-January, the Township extended the period for final approval of the R-2. Eventually, it will turn into R-2 and but Trustees gave a six-month extension to all the property owners in the area who may want to split their lots prior to becoming three-acre zoning. Stein Farms is in this area and that is why they are racing the clock to get it approved before the January deadline.

Concord Township has R-4, one-acre lots to the west and Hambden Township has three-acre lots to the south. There is a lot of agriculture land in the area, park land, a couple of churches, some residential, and a lot of vacant land. The Comprehensive Plan did not state that this property become R-2. It was supposed to remain R-1. The Zoning Commission stated the public wished for the rest of the Township to become R-2.

There are about 1,200 parcels involved in this amendment request. Roughly 53% of the parcels will be substandard to the R-2 zoning if this change is approved. 212 lots are currently substandard. Initially, Leroy only had 100 feet of frontage and one acre lots. They upped the acreage many years ago. There are 247 lots are between one and a half to two acres and 224 lots between two and three acres. There are 1,800 parcels in the entire Township and this will make 36% of Leroy Township nonconforming.

The standard lot width is currently 150 feet and roughly 435 feet long. There is a 50 foot setback. R-1 is an acre and one half with 20 foot rear and sideline clearances. R-2 is 200 feet of frontage, 435 feet long and, if it is 200 feet, it is two acres. There is a 100-foot setback,

which may be an issue to others in the future. There are still offsets of 20 feet for rear and sideline clearances. There is a 110 foot building envelope for R-1 and roughly 160 feet for an R-2.

One issue is that a corner lot will need to have 100 feet on both side streets. If you have an undeveloped acre and a half lot, you would have a 30-foot building envelope for a house. This would wind up at the BZA. Another issue is you could have two lots with one owner building his house right at 50 foot and one building a house a little back. The new owner between them would have to be at 100 feet and would end up in the back yards of the neighbors and they will be looking at that house through their back windows. A neighbor building their house a little back to allow for building a garage off the front would need a variance.

There are 19 subdivisions that contain 391 of what would become substandard lots. 199 of these are currently substandard in zoning by not having the proper width or acreage. An additional 180 lots will become substandard if this goes through. By allowing the subdivisions to remain R-1 similar to what Concord did with Cali Woods and Rio Vista and Rio Grande Estates when they did their R-4 zoning, it would reduce the amount of nonconforming lots from 53% to 23% and the overall rate from 36% to 16%. It is important to keep the old lot split plats from the 50s and 60s as R-1.

Land Use and Zoning is recommending that the Township go forward with the district change with the amendment that the 19 subdivisions remain R-1.

Mr. Pegoraro asked what would happen in the event a house is razed or burnt down? Mr. Radachy replied they would have a certain period of time to rebuild (2 years) a house in the exact same spot, exact same footprint and the exact same building size. The two year period is a State law in townships.

Commissioner Moran moved to accept the recommendation to approve the proposed district amendment in Leroy Township from R-1 to R-2. Mr. Schaedlich seconded the motion.

Six voted "Aye".
Four voted "Nay".
Motion passed.

Painesville Township – Proposed District Amendment, 107.406 Acres, R-1, Residential to CS, Community Service

This amendment was initiated by Riverside Schools in Painesville Township. It is the Riverside High School property and is going from R-1, Single Family to CS, Community Development consisting of about 107 acres. This was formerly the County Home property minus the Home itself that is now the Historical Society who rezoned their property to CS. The zoning is S, special to the north, R-1 Single Family to the south, east and west. The district amendment does meet the Township Comprehensive Plan.

Land Use and Zoning Committee recommends that the Township look into revising the CS uses to include administrative offices, maintenance facilities and bus garage. They also recommending the Zoning Commission relook at the committed uses and explore the possibility of adding a couple of things that are associated with school use.

Currently, they park buses on this property, which they could probably continue doing but it should be made into a conforming use. The Riverside Board of Education still has offices in the high school and they want to build a building for that in the future to free up space for class rooms, which could only be done with a variance now. The Riverside School District has a maintenance facility in Concord Township across from the Concord Community Center, but if they ever decided to, they could build another maintenance facility on this site also if it was added.

Commissioner Moran left at 6:25 p.m.

Mr. Adams asked for the uses in CS, Community Service and Mr. Radachy replied they were school, child day care; health care facility; adult care facility; public or private elementary school, secondary school, college university; church, club, community center, paternal or fraternal organization (public or private); and library and museum. There is no buffer required.

Staff was a little concerned that they might decide to sell some of the property for single-family development if Riverside got into a bind. It would be their choice.

Mr. Adams inquired if someone wanted to buy the triangular piece of property, would that have to be rezoned as R-1 and the Director replied that it would.

Mr. Schaedlich commented that the cul-de-sacs in the subdivision were all built out and Mr. Radachy affirmed that and added that they were all permanent so they could not connect it unless someone purchased and razed a house to build a road through that.

Ms. Hausch asked if the home built in front of the school area was owned by the School Board and was informed they did not. It was owned by the Juvenile Court of Lake County, put up for auction and sold, but GIS says it is still owned by Lake County. This is not included in the rezoning. The current zoning is R-1.

The Director said the CS district was created in the 90s for schools, etc. but none of the Riverside Schools are CS. He believed the School Board bought the County Home from the Lake County Commissioners. The Board split off the County Home and sold it to the Historical Society. There is a deed restriction on the County Home that says that it has to be used for educational purposes so it cannot be turned into a bed and breakfast.

Mr. Pegoraro thought there was a problem with sanitary sewers in that area, too, and a limitation of pumps. Mr. Radachy said yes and the issue is because the Heatherstone Plant is maxed out and cannot be expanded. Until they run the Red Creek interceptor and open up

some space at the Heatherstone Plant, there is not going to be much development in this part of Painesville Township. Nothing is happening on this at this time.

Mr. Pegoraro moved to approve the recommendation to approve the proposed district amendment to change 107.406 acres in Painesville Township from R-1, Residential to CS, Community Service. Mr. Adams seconded the motion.

Eight voted "Aye".
One voted "Nay".

REPORTS OF SPECIAL COMMITTEES

There were no reports from special committees.

CORRESPONDENCE

There was no correspondence.

OLD BUSINESS

ByLaws

Mr. Radachy said according to the Bylaws of the Lake County Planning Commission, a copy of the proposed amendment was delivered by the Director to the Secretary 15 days prior to this meeting and a letter signed by the Secretary had been sent by mail ten days prior. Mr. Horacek agreed that procedures were followed correctly.

Mr. Zondag moved to accept the Lake County Planning Commission Bylaws changes and Mr. Morse seconded the motion.

All voted "Aye".

NEW BUSINESS

Staff requested to move the November 26 meeting to Monday, November 25, 2013 because of Thanksgiving and his travel plans.

Mr. Pegoraro moved for the meeting to be changed to Monday, November 25, 2013 and Mr. Morse seconded the motion.

Ms. Pesec stated that usually meetings are changed to another Tuesday and Mr. Radachy then suggested November 19, 2013.

Mr. Pegoraro rescinded his motion and Mr. Morse rescinded his second.

Mr. Zondag made a motion to move the November meeting to Tuesday, November 19, 2013 at 5:30 p.m. Mr. Brotzman seconded the motion.

All voted "Aye".

PUBLIC COMMENT

Concord Ridge Subdivision Riparian Law

Mr. Horacek commented on the previously referenced riparian law question that Mr. Brotzman mentioned. He read the notes on that meeting and said part of his issue with it was a lack of clarity. The issue was the spring on the lower property and the Planning Commission looking at plans for elevated property. He asked for clarity on the question.

Mr. Pegoraro stated the homeowners on the lower side, the Skoks, were concerned about contamination of their ground water supply, their drinking water. The question in his mind was if the riparian law come into the quality of water that is being discharged or being changed upstream or is it just the quantity.

Mr. Horacek replied that it could be quality too, but there is not really an upstream in this case because it is a spring and not necessarily a stream.

Mr. Pegoraro asked if there was a stream opposite the spring, which was confirmed by Mr. Zondag. That would put the salt into the spring.

Mr. Horacek sought to clarify the question by asking if the position was what responsibility the Planning Commission has to look at that or do you want to know what the law is generally about that?

Mr. Pegoraro replied he was questioning if the Planning Commission should take that into consideration as to whether to modify or whatever else?

Mr. Radachy said the Commission has the ability to not have that road go into that spot. As a board, we can decide where the road goes within reason and as long as we stay within our regulations.

Mr. Horacek said he thought you could take it into consideration.

When asked what the liability of the Planning Commission would be if they do not take action and we were forewarned by the property owner and contamination does happen. Mr. Horacek stated that we have sovereign immunity.

Some members were concerned about the stream and spring going directly into the property and contamination possibilities. Discussion on the circumstances and differences of the WalMart contamination to irrigation water and not drinking water in Madison, and the circumstances that Soil and Water accepted the plans, etc. ensued.

Mr. Horacek stated that it seems that the question is if the Planning Commissions actions in ordering the road being moved area are reasonable depending on the Commissions view of possible contamination. He will research this. As long as decisions are being made on proper considerations then they can be appealed but there is not any liability.

Land Use and Zoning Minutes

Mr. Morse commented on the minutes of the Land Use and Zoning Committee concerning the Leroy rezoning issue. He thought that it should have mentioned the fact that five voted nay and zero voted aye on that issue.

Mr. Radachy clarified that the staff's original position on the Leroy zoning change was to deny it completely because it did not meet the Comprehensive Plan. The Land Use and Zoning Committee motioned to accept the original plan straight up and did not think it was a good idea to have 53% non-conforming, which is why it shows a zero aye vote and the one abstention was actually from the Leroy Zoning Commission.

Mr. Brotzman asked how much of what is being discussed has been told to the Leroy community.

Mr. Morse said the Committee was told they had a meeting and quite a few people were there from the community and they were in favor of it. When he asked how many were at the meeting and there was no answer. He personally thought that this was just tearing Leroy apart. He thought it would really restrict the growth of the Township, especially in the eastern part of the County where all the building sites are available.

Ms. Hausch agreed as a resident of Leroy Township with Mr. Morse's statements.

ADJOURNMENT

Mr. Zondag moved to adjourn and Mr. Pegoraro seconded the motion to adjourn.

All voted "Aye".

The meeting adjourned at 6:50 p.m.